

PTO/SA/62 (7/05) SEP 19 2005

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
085907-000000US

First named inventor: Manku, Tajinder

Application No.: 10/070,013

Art Unit: 2681

Filed: July 29, 2002

Examiner: JACKSON, BLANE J.

Title: IMPROVED METHOD AND APPARATUS FOR UP-CONVERSION OF RADIO FREQUENCY (RF) SIGNALS

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (571) 273-8300**RECEIVED**  
SEP 27 2005  
OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity — fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity — fee \$ 1,500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,400.00.

- ☐ has been paid previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

[Page 1 of 2]

## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. ☐ For fees authorized to be paid hereinabove, the Commissioner is hereby authorized to charge the fees, any deficiency of fees, and credit of any overpayments, to Deposit Account No. 20-1430.

5. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

September 19, 2005

Date

Ardeshir Tabibi

Typed or printed name

38,575

Registration Number, if applicable

Two Embarcadero Center, 8th Floor

Address

(650) 328-2400

Telephone Number

San Francisco, CA 94111

Address

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unavoidable delay

☒ Other: Part B - Fee(s) Transmittal and Communication Re Petition For Revival

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

September 19, 2005

Date

  
Signature

Diane Hawley

Typed or printed name of person signing certificate

SEP 19 2005

PTO/SB/64 (07-05)

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Signature

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Date

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Typed or printed name

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September 19, 2005  
Date

  
Signature

Diane Hawley  
Typed or printed name of person signing certificate

PATENT & TRADEMARK  
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2005 SEP 22 PM 3:54

Patent  
Attorney Docket No.: 085907-000000US

U.S. PATENT & TRADEMARK  
OFFICE  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**SEP 19 2005**

In re application of:

Tajinder Manku et al.

Application No.: 10/070,013

Filed: July 29, 2002

For: IMPROVED METHOD AND  
APPARATUS FOR UP-CONVERSION OF  
RADIO FREQUENCY (RF) SIGNALS

Customer No.: 20350

Confirmation No. 5890

Examiner: JACKSON, BLANE J.

Technology Center/Art Unit: 2681

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UNDER 37 CFR 1.137(b)

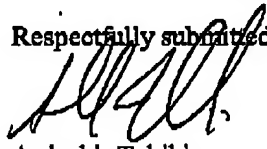
MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reviewing the above application, Applicants noted that the Issue Fee for the matter referenced above was due on September 13, 2005. Applicants inadvertently and unintentionally failed to timely pay the Issue Fee.

Applicants submit that the entire delay in paying the Issue Fee and filing the required reply from the due date for the reply until the filing of this petition was unintentional. Accordingly, Applicants request that the above application be revived under 37 CFR § 1.137(b). Please charge our Deposit Account No. 20-1430 in the amount of \$1,500.00 as set forth in 37 CFR § 1.17(m) and any additional amount that may be required.

Respectfully submitted,

  
Ardeshir Tabibi  
Reg. No. 48,750

09/26/2005 DALLEN 00000002 201430 10070013

01 FC:1453 1500.00 DA

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